

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PHILLIP NELSON BURNS, MIRJANA  
PAVKOVICH, Administrator of the Estate of  
Rade Pavkovich, Deceased, and WARREN  
ELMER HALPAP,

Plaintiffs,

Case No. 1:07-CV-3496 (WHP)

-against-

GRUPO MEXICO, S.A. de C.V., a Mexican  
Corporation,

Defendant.

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**ORDER OF SUBSTITUTION**

The motion of ASARCO LLC and Southern Peru Holdings, LLC seeking an order substituting them in place and instead of Phillip Nelson Burns, Mirjana Pavkovich, and Warren Elmer Halpap came on for hearing on \_\_\_\_\_, 2007.

The Court has reviewed the papers submitted in connection with the motion, and considered the authorities cited and the argument of counsel. Being so informed, the Court finds that there has been a transfer of interest within the meaning of Rule 25(c) of the Federal Rules of Civil Procedure that warrants adjustment of the parties in this action.

Therefore, IT IS ORDERED that:

1. ASARCO LLC and Southern Peru Holdings, LLC's Motion to Substitute Plaintiffs is GRANTED;
2. ASARCO LLC and Southern Peru Holdings, LLC are substituted as plaintiffs for Phillip Nelson Burns, Mirjana Pavkovich, and Warren Elmer Halpap;
3. The Clerk will make whatever changes are appropriate in the records of this Court to reflect the substitution; and

4. All papers subsequently filed by any person in this action will have a caption that properly reflects "ASARCO LLC and SOUTHERN PERU HOLDINGS, LLC, Plaintiffs" in place of "PHILLIP NELSON BURNS, MIRJANA PAVKOVICH, Administrator of the Estate of Rade Pavkovich, Deceased, and WARREN ELMER HALPAP, Plaintiffs."

Dated: \_\_\_\_\_

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William H. Pauley III  
United States District Judge